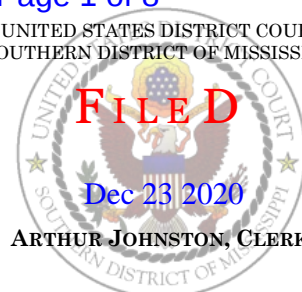


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

CIVIL ACTION NO. 1:20-cv-378-HSO-JCG

SIXTEEN FIREARMS, AND

5,803 ROUNDS OF ASSORTED AMMUNITION

DEFENDANT PROPERTY

VERIFIED COMPLAINT FOR FORFEITURE *IN REM*

Plaintiff United States of America, by and through the United States Attorney for the Southern District of Mississippi and the undersigned Assistant United States Attorney, brings this complaint for forfeiture *in rem* and, in accordance with Supplemental Rule G(2) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, alleges as follows.

NATURE OF THE ACTION

1. This is a civil action *in rem* to forfeit to the United States the following firearms¹, parts, and ammunition (the “**Subject Firearms**”), all of which were involved in violations of federal laws:

20-ATF-023736	Savage B22 Rifle CAL: .22 SN:3319016
20-ATF-023737	1 Rounds CCI Ammunition CAL: .22
20-ATF-023739	Chongqing Jianshe Machinery Co. LTD. (EMEI) JTS-12 Shotgun CAL: 12ga SN: EM17064086
20-ATF-023741	Rock River Arms, INC LAR 15 Rifle CAL: 5.56mm SN: CM231900
20-ATF-023742	20 Rounds Hornady Ammunition CAL: .223

¹ One firearm, a Maverick Arms (Eagle Pass, TX) 88 Shotgun CAL: 12ga SN: MV65639R (20-ATF-023744), was administratively forfeited on November 18, 2020. The United States, therefore, is not seeking judicial forfeiture of this firearm.

20-ATF-023746	Howa 1500 Rifle CAL: .22-250 SN: B176265
20-ATF-023747	Ruger 10/22 Rifle CAL: .22 SN: 240-71892
20-ATF-023749	Norinco (North China Industries) MAK91 Rifle CAL: 7.62mm SN: NM9304278
20-ATF-023750	5 Rounds Wolf Ammunition CAL: 7.62mm
20-ATF-023751	Browning Gold Hunter Shotgun CAL: 12ga SN: 113MW04119
20-ATF-023752	Spike's Tactical LLC ST15 Rifle CAL: Multi SN: LT021087
20-ATF-023753	1 Rounds Hornady Ammunition CAL: .450
20-ATF-023754	Anderson Manufacturing AM-15 Receiver/Frame CAL: Multi SN: 18253755
20-ATF-023755	HS PRODUCTS (IM METAL) XDS Pistol CAL: .45 SN: XS674902
20-ATF-023756	7 Rounds Hornady Ammunition CAL: .45
20-ATF-023758	Glock Inc. 42 Pistol CAL: .380 SN: ACMV944
20-ATF-023759	6 Rounds Winchester-Western Ammunition CAL: .380
20-ATF-023761	Ruger SR1911 Revolver CAL: .45 SN: 670-16650
20-ATF-023762	Harrington & Richardson 1871 Inc. 929 Revolver CAL: .22 SN:AM38584
20-ATF-023763	Ruger Standard Pistol CAL: .22 SN:14-73101
20-ATF-023765	8 Rounds Remington Ammunition CAL: .22
20-ATF-023767	Bond Arms Inc. Snake Slayer Derringer CAL: .45/410ga SN: 88655
20-ATF-023769	North American Arms NAA22 Revolver CAL: .22 SN: E169265
20-ATF-023771	4 Rounds CCI Ammunition CAL: .22
20-ATF-023773	5 Rounds Hornady Ammunition CAL: .45
20-ATF-023776	40 Rounds HORNADY Ammunition CAL: .450
20-ATF-023777	85 Rounds Winchester-Western Ammunition CAL: 12ga
20-ATF-023779	400 Rounds Assorted Ammunition CAL: 7.62mm

20-ATF-023782	44 Rounds Aguila Ammunition CAL: .22
20-ATF-023784	991 Rounds Assorted Ammunition CAL: Multi
20-ATF-023786	647 Rounds Assorted Ammunition CAL: Multi
20-ATF-023789	499 Rounds Assorted Ammunition CAL: Multi
20-ATF-023790	396 Rounds Assorted Ammunition CAL: Multi
20-ATF-023793	2538 Rounds Assorted Ammunition CAL: .22
20-ATF-023794	70 Rounds Federal Ammunition CAL: 12ga
20-ATF-023965	36 Rounds Aguila Ammunition CAL: .22

2. The **Subject Firearms** are subject to forfeiture under 18 U.S.C. § 924(d)(1) because the **Subject Firearms** were used to facilitate violations of 18 U.S.C. § 922(g)(3) (unlawful user of a controlled substance in possession of a firearm).

JURISDICTION AND VENUE

3. This Court has jurisdiction over an action commenced by the United States under 28 U.S.C. § 1345, over an action for forfeiture under 28 U.S.C. § 1355(a), and over this particular action under 28 U.S.C. § 1331 and 18 U.S.C. § 924.

4. This District is a proper venue, under 28 U.S.C. § 1355(b)(1)(A), because the acts giving rise to this *in rem* forfeiture action occurred in this District, and under 28 U.S.C. § 1395(b) because the **Subject Firearms** were found and seized in this District.

THE DEFENDANTS IN REM

5. The **Subject Firearms** consist of the following:

20-ATF-023736	Savage B22 Rifle CAL: .22 SN:3319016
20-ATF-023737	1 Rounds CCI Ammunition CAL: .22

20-ATF-023739	Chongqing Jianshe Machinery Co. LTD. (EMEI) JTS-12 Shotgun CAL: 12ga SN: EM17064086
20-ATF-023741	Rock River Arms, INC LAR 15 Rifle CAL: 5.56mm SN: CM231900
20-ATF-023742	20 Rounds Hornady Ammunition CAL: .223
20-ATF-023746	Howa 1500 Rifle CAL: .22-250 SN: B176265
20-ATF-023747	Ruger 10/22 Rifle CAL: .22 SN: 240-71892
20-ATF-023749	Norinco (North China Industries) MAK91 Rifle CAL: 7.62mm SN: NM9304278
20-ATF-023750	5 Rounds Wolf Ammunition CAL: 7.62mm
20-ATF-023751	Browning Gold Hunter Shotgun CAL: 12ga SN: 113MW04119
20-ATF-023752	Spike's Tactical LLC ST15 Rifle CAL: Multi SN: LT021087
20-ATF-023753	1 Rounds Hornady Ammunition CAL: .450
20-ATF-023754	Anderson Manufacturing AM-15 Receiver/Frame CAL: Multi SN: 18253755
20-ATF-023755	HS Products (IM METAL) XDS Pistol CAL: .45 SN: XS674902
20-ATF-023756	7 Rounds Hornady Ammunition CAL: .45
20-ATF-023758	Glock Inc. 42 Pistol CAL: .380 SN: ACMV944
20-ATF-023759	6 Rounds Winchester-Western Ammunition CAL: .380
20-ATF-023761	Ruger SR1911 Revolver CAL: .45 SN: 670-16650
20-ATF-023762	Harrington & Richardson 1871 Inc. 929 Revolver CAL: .22 SN:AM38584
20-ATF-023763	Ruger Standard Pistol CAL: .22 SN:14-73101
20-ATF-023765	8 Rounds Remington Ammunition CAL: .22
20-ATF-023767	Bond Arms Inc. Snake Slayer Derringer CAL: .45/410ga SN: 88655
20-ATF-023769	North American Arms NAA22 Revolver CAL: .22 SN: E169265
20-ATF-023771	4 Rounds CCI Ammunition CAL: .22
20-ATF-023773	5 Rounds Hornady Ammunition CAL: .45

20-ATF-023776	40 Rounds Hornady Ammunition CAL: .450
20-ATF-023777	85 Rounds Winchester-Western Ammunition CAL: 12ga
20-ATF-023779	400 Rounds Assorted Ammunition CAL: 7.62mm
20-ATF-023782	44 Rounds Aguila Ammunition CAL: .22
20-ATF-023784	991 Rounds Assorted Ammunition CAL: Multi
20-ATF-023786	647 Rounds Assorted Ammunition CAL: Multi
20-ATF-023789	499 Rounds Assorted Ammunition CAL: Multi
20-ATF-023790	396 Rounds Assorted Ammunition CAL: Multi
20-ATF-023793	2538 Rounds Assorted Ammunition CAL: .22
20-ATF-023794	70 Rounds Federal Ammunition CAL: 12ga
20-ATF-023965	36 Rounds Aguila Ammunition CAL: .22

Agents from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) seized the **Subject Firearms** on July 11, 2020. The **Subject Firearms** are being stored in the ATF Field Office Evidence Vault and Explosives Bunker in Gulfport, Mississippi.

BASIS FOR FORFEITURE

6. The **Subject Firearms** are subject to forfeiture under 18 U.S.C. § 924(d)(1) because the **Subject Firearms** were used to facilitate violations of 18 U.S.C. § 922(g)(3) (unlawful user of a controlled substance in possession of a firearm).

7. Additionally, 18 U.S.C. § 924(d)(1) provides that all provisions of the Internal Revenue Code of 1986 relating to the seizure, forfeiture, and disposition of firearms, as defined by 26 U.S.C. § 5845(a), shall, so far as applicable, extend to seizures and forfeitures under 18 U.S.C. § 924.

FACTS AND CIRCUMSTANCES

8. A detailed account of the facts and circumstances supporting the seizure and forfeiture of the **Subject Firearms** is set out in ATF Special Agent Kevin A. Roch's declaration, which is attached hereto as Exhibit "A" and incorporated herein by reference.

9. The **Subject Firearms** were in the possession of Justin Burrell and involved in his violation of 18 U.S.C. § 922(g)(3) (unlawful user of a controlled substance in possession of a firearm).

FIRST CLAIM FOR RELIEF **(18 U.S.C. § 924)**

10. Paragraphs 1 through 9 above are incorporated by reference as if fully set forth herein.

11. The **Subject Firearms** are subject to seizure and forfeiture to the United States under 18 U.S.C. § 924(d)(1), which authorizes the forfeiture of, "Any firearm or ammunition involved in or used in any knowing violation of subsection...(g)...or any violation of any other criminal law of the United States...." 18 U.S.C. § 924(d)(1).

PRAYER FOR RELIEF

Plaintiff United States requests that:

- (a) the Court find that the United States has demonstrated it has a reasonable belief that the **Subject Firearms** are forfeitable to the United States under 18 U.S.C. § 924;
- (b) under Supplemental Rule G of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, the Court issue a warrant of arrest *in rem* for the arrest and seizure of the **Subject Firearms** based on this verified complaint, which the United States will execute to bring the **Subject Firearms** within the jurisdiction of the Court for purposes of this statutory forfeiture action;


- (c) process issue to enforce the forfeiture of the **Subject Firearms**;
- (d) notice of this action be given to all under Supplemental Rule G(3)(b), which the United States will execute upon the **Subject Firearms** located in the custody of the ATF under 28 U.S.C. § 1355(d) and Supplemental Rule G(3)(c);
- (e) notice of this action be given to all persons and entities known or thought to have an interest in or right against the **Subject Firearms** to appear and show why the forfeiture should not be decreed;
- (f) the Court decree that forfeiture of the **Subject Firearms** to the United States is confirmed, enforced, and ordered;
- (g) the Court award the United States its costs and disbursements in this action; and
- (h) the Court order such other relief that it deems just and proper.

DATE: December 23, 2020

Respectfully submitted,

D. MICHAEL HURST, JR.
United States Attorney

By:


CLAY B. BALDWIN (MSB 103478)
Assistant United States Attorney
501 E. Court Street, Suite 4.430
Jackson, Mississippi 39201
Tel: (601) 965-4480
Fax: (601) 965-4409
Email: clay.baldwin@usdoj.gov

VERIFICATION

I, Kevin A. Roch, hereby verify and declare under penalty of perjury that I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), that I have read the foregoing Verified Complaint for Forfeiture *in rem* and know the contents thereof, and that the matters contained in the Verified Complaint for Forfeiture *in rem* are true to my own knowledge, except that those matters herein stated to be alleged on information and belief and as to those matters I believe them to be true.

The sources of my knowledge and information and the grounds of my belief are the official files and records of the United States of America, information supplied to me by other law enforcement officers, as well as my investigation of this case, together with others, as an ATF Special Agent.

Dated this the 23rd day of December, 2020.

KEVIN ROCH Digitally signed by KEVIN ROCH
Date: 2020.12.23 15:16:13 -06'00'

Kevin A. Roch
Special Agent
Bureau of Alcohol, Tobacco, Firearms and
Explosives

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

CIVIL ACTION NO. _____

SIXTEEN FIREARMS, AND
5,803 ROUNDS OF ASSORTED AMMUNITION

DEFENDANT PROPERTY

DECLARATION

Under 28 U.S.C. § 1746, I, Kevin A Roch, a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives, make the following unsworn declaration, under the penalty of perjury, pertinent to the above-styled and numbered case:

I. BACKGROUND

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), assigned to ATF's Gulfport Field Office.

2. I am empowered to investigate violations of federal firearms, arson, and explosive laws.

3. I am a Special Agent with the United States Department of Justice, Bureau of Alcohol, Tobacco Firearms and Explosives. I have been so employed since July 2002. I am currently assigned to the Biloxi/Gulfport, MS Field Office. As an ATF Special Agent I am responsible for conducting investigations of Federal Firearms Laws, Explosives Laws and Arson Laws. I am a graduate of the University of Southern Mississippi, Oklahoma State University, Missouri Science and Technology, the Federal Law Enforcement Training Center Criminal Investigator School, the ATF National Academy New Professional Training School and the Federal Law Enforcement Training Center Immigration Officer Basic Training School

4. During my tenure with ATF I have been involved in various degrees and capacities with numerous investigations. The investigations involved the illegal possession of firearms by convicted felons, the possession and use of firearms by narcotics traffickers, illegal sale or possession of machineguns and short-barrel shotguns or rifles, arsons of structures which affect interstate commerce, and the manufacture, possession or use of illegal explosive devices. A number of these investigations have included conspiratorial relationships between multiple defendants and generally involved a series or pattern of criminal activities or multiple criminal

EXHIBIT A

schemes. I have also participated in a number of investigations, which were conducted under a wide range of jurisdictions.

5. At all times during the investigation described in this declaration, I was acting in an official capacity as an ATF Special Agent. I base this declaration on my personal knowledge and information I received from other federal agents and other law enforcement agencies.

6. The excerpts and descriptions included in this declaration below may not constitute the entire investigation but contain only the information that I reasonably believe is relevant to establish that the named property is subject to civil seizure and forfeiture.

7. The information contained in this declaration is provided for the limited purpose of establishing the basis for civil seizure and forfeiture of the named property. As discussed below, I submit there is a reasonable belief, as required by Rule G (2) (f) of the Supplemental Rules for Admiralty and Maritime Claims and Asset Forfeiture Actions, that the United States will meet its burden of proof at trial that the firearms named below facilitated violations of 18 U.S.C. § 922(g)(3) (unlawful user of a controlled substance in possession of a firearm). Consequently, there is a reasonable belief that these firearms are subject to forfeiture under 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c).

II. PROPERTY SOUGHT TO BE FORFEITED

8. The United States seeks the forfeiture of the following firearms¹, parts, and ammunition (the “**Subject Firearms**”):

20-ATF-023736	Savage B22 Rifle CAL:22 SN:3319016
20-ATF-023737	1 Rounds CCI Ammunition CAL: 22
20-ATF-023739	Chongqing Jianshe Machinery Co. LTD. (EMEI) JTS-12 Shotgun CAL: 12 SN: EM17064086
20-ATF-023741	Rock River Arms, INC LAR 15 Rifle CAL: 556 SN: CM231900
20-ATF-023742	20 Rounds Hornady Ammunition CAL: 223
20-ATF-023746	Howa 1500 Rifle CAL: 22-250 SN: B176265
20-ATF-023747	Ruger 10/22 Rifle CAL: 22 SN: 240-71892

¹ One firearm, a Maverick Arms (Eagle Pass, TX) 88 Shotgun CAL: 12 SN: MV65639R (20-ATF-023744), was administratively forfeited on November 18, 2020. The United States, therefore, is not seeking judicial forfeiture of this firearm.

20-ATF-023749	Norinco (North China Industries) MAK91 Rifle CAL: 762 SN: NM9304278
20-ATF-023750	5 Rounds Wolf Ammunition CAL: 762
20-ATF-023751	Browning Gold Hunter Shotgun CAL: 12 SN: 113MW04119
20-ATF-023752	Spike's Tactical LLC ST15 Rifle CAL: Multi SN: LT021087
20-ATF-023753	1 Rounds Hornady Ammunition CAL: 450
20-ATF-023754	Anderson Manufacturing AM-15 Receiver/Frame CAL: Multi SN: 18253755
20-ATF-023755	HS PRODUCTS (IM METAL) XDS Pistol CAL: 45 SN: XS674902
20-ATF-023756	7 Rounds Hornady Ammunition CAL: 45
20-ATF-023758	Glock Inc. 42 Pistol CAL: 380 SN: ACMV944
20-ATF-023759	6 Rounds Winchester-Western Ammunition CAL: 380
20-ATF-023761	Ruger SR1911 Revolver CAL: 45 SN: 670-16650
20-ATF-023762	Harrington & Richardson 1871 Inc. 929 Revolver CAL:22 SN:AM38584
20-ATF-023763	Ruger Standard Pistol CAL:22 SN:14-73101
20-ATF-023765	8 Rounds Remington Ammunition CAL:22
20-ATF-023767	Bond Arms Inc. Snake Slayer Derringer CAL: 45/410 SN: 88655
20-ATF-023769	North American Arms NAA22 Revolver CAL: 22 SN: E169265
20-ATF-023771	4 Rounds CCI Ammunition CAL: 22
20-ATF-023773	5 Rounds Hornady Ammunition CAL: 45
20-ATF-023776	40 Rounds HORNADY Ammunition CAL: 450
20-ATF-023777	85 Rounds Winchester-Western Ammunition CAL: 12
20-ATF-023779	400 Rounds Assorted Ammunition CAL: 762
20-ATF-023782	44 Rounds Aguila Ammunition CAL: 22
20-ATF-023784	991 Rounds Assorted Ammunition CAL: Multi

20-ATF-023786	647 Rounds Assorted Ammunition CAL: Multi
20-ATF-023789	499 Rounds Assorted Ammunition CAL: Multi
20-ATF-023790	396 Rounds Assorted Ammunition CAL: Multi
20-ATF-023793	2538 Rounds Assorted Ammunition CAL: 22
20-ATF-023794	70 Rounds Federal Ammunition CAL: 12
20-ATF-023965	36 Rounds Aguila Ammunition CAL: 22
20-ATF-023966	60 Rounds Assorted Ammunition CAL: Multi

III. FACTS AND CIRCUMSTANCES

9. On July 11, 2020, during the execution of a state search warrant at the residence of Justin BURRELL, 18069 Canal Junction Drive, Gulfport, Mississippi 39503, the above items were seized. ATF was assisting the Harrison County Mississippi Sheriff's Department (HCSO) after HCSO officers observed drug paraphernalia in plain sight while responding to a domestic violence disturbance.

10. During their search, HCSO officers discovered items that they believed to be destructive devices. ATF Special Agent Certified Explosives Specialist Bomb Technician (SACESBT) Kevin Roch, and Biloxi Police Department Bomb Technician (BPDBT) Matthew Boone responded to assist. A visual examination, along with an X-ray of the devices, determined the devices to be expended "Crosman" brand CO2 cartridges, which had been filled with an unknown powder. A red hobby fuse was inserted through the neck of the cartridge. The fuse was held in place by an unknown sealant or epoxy. These kinds of destructive devices are commonly referred to as "crickets." SACESBT Roch and BPDBT Boone subsequently executed a remote disassembly of all four (4) suspected destructive devices at a nearby safe area. The items were retained as evidence pending further identification and determination.

11. In addition to the above-listed firearms, ammunition, and destructive devices, law enforcement recovered suspected suppressors and drug paraphernalia. One of the recovered suppressors was found attached to a .22 caliber rifle listed above. Pursuant to 26 U.S.C. § 5861(d), it is prohibited for BURRELL to possess NFA firearms (destructive devices and/or suppressors) that are not registered to him in the National Firearms Registration and Transfer Record (NFRTR). Although they were seized, because these items are *per se* contraband, they are not being sought for forfeiture.

12. During an on-scene post-Miranda interview, BURRELL admitted to possession of the firearms, suppressors and destructive devices, and to being an unlawful user of a controlled substance, methamphetamine. Title 18 U.S.C. § 922(g)(3) prohibits an unlawful user of a controlled substance from possessing firearms.

13. A forensic examination of BURRELL's mobile phone revealed BURRELL was attempting to locate methamphetamine for sale just prior to the domestic incident and had pictures of suspected methamphetamine and marijuana.

14. On July 30, 2020, during a recorded interview, BURRELL again admitted to being an unlawful user of a controlled substance (methamphetamine), and to possession of destructive devices and of suppressors.

15. All evidence items are being stored in the ATF Field Office Evidence Vault and Explosives Bunker in Gulfport, Mississippi.

16. Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Special Agent Shane Lynes, an Interstate Nexus Examiner, determined that the **Subject Firearms** were not manufactured within Mississippi. Therefore, these firearms would have affected interstate commerce.

17. The ATF sent written notices of intent to forfeit the **Subject Firearms**, as required by 18 U.S.C. § 983(a) (1) (A), to BURRELL on or about September 1, 2020. The ATF also published notice of its intent to forfeit the **Subject Firearms** from August 31, 2020, through September 29, 2020, on www.forfeiture.gov. On September 28, 2020, the ATF received a timely filed administrative claim to the **Subject Firearms** from BURRELL, and, as a result, referred the matter to the United States Attorney's Office to initiate within 90 days, or by December 27, 2020 judicial forfeiture proceedings for the **Subject Firearms**. See Civil Asset Forfeiture Reform Act of 2000 ("CAFRA"), codified in part at 18 U.S.C. § 983(a) (3) (A).

IV. CONCLUSION

18. Based on the above information, I submit there is a reasonable belief, as required by Rule G(2)(f) of the Supplemental Rules for Admiralty and Maritime Claims and Asset Forfeiture Actions, that the United States will meet its burden of proof at trial that the **Subject Firearms** was used to facilitate violations of 18 U.S.C. § 922(g)(3) (unlawful user of a controlled substance in possession of a firearm), and that therefore the **Subject Firearms** are subject to forfeiture under 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c).

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]

(Signature page follows)

19. I declare, pursuant to 28 U.S.C. § 1746, that the foregoing is true and accurate to the best of my knowledge and belief.

Executed on: December 23, 2020

KEVIN ROCH Digitally signed by KEVIN ROCH
Date: 2020.12.23 14:13:57 -06'00'

Kevin A. Roch
Special Agent
Bureau of Alcohol, Tobacco, Firearms and
Explosives

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

1:20-cv-378-HSO-JCG

I. (a) PLAINTIFFS

United States of America

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI

DEFENDANTS

SIXTEEN FIREARMS AND 5,803 ROUNDS OF
ASSORTED AMMUNITIONCounty of Residence of First Listed Defendant Harrison County

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
LAND INVOLVED.

Attorneys (If Known)

(b) County of Residence of First Listed Plaintiff
(EXCEPT IN U.S. PLAINTIFF CASES)

ARTHUR JOHNSTON, CLERK

(c) Attorney's (Firm Name, Address, and Telephone Number)

Clay B. Baldwin, U.S. Attorney's Office
501 East Court Street, Suite 4.430, Jackson, MS 39201 (601) 965-4480

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- (For Diversity Cases Only)
- | | | | |
|---|---|---|---|
| Citizen of This State | PTF <input type="checkbox"/> 1 DEF <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | PTF <input type="checkbox"/> 4 DEF <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input checked="" type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	

V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from another district (specify)
- ☐ 6 Multidistrict Litigation
- ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

18 U.S.C. 924(d)(1)

Brief description of cause:

Civil forfeiture of firearms, firearm parts, ammunition seized from Justin Burrell

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

12/23/2020

SIGNATURE OF ATTORNEY OF RECORD

/s/ Clay B. Baldwin

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE